

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF VIRGINIA
ALEXANDRIA DIVISION**

TYRONE MERRITT *et al.*,

Plaintiffs,

vs.

Case No. 1:19-cv-1048

CAPITAL ONE FINANCIAL
CORPORATION *et al.*,

Defendants.

NOTICE OF HEARING

Please take notice that on **August 23, 2019 at 10:00 a.m.**, or as soon thereafter as counsel may be heard, Defendants Capital One Financial Corporation, Capital One, N.A., and Capital One Bank (USA), N.A., by and through counsel, will seek the relief requested in their ¹Motion to Stay or, in the Alternative, for an Extension to Time to Respond to the Complaint under Federal Rule of Civil Procedure 12(b)(6).

Respectfully submitted, this 16th day of August 2019.

**CAPITAL ONE FINANCIAL CORPORATION
CAPITAL ONE, N.A.
CAPITAL ONE BANK (USA), N.A.**

/s/ Mary C. Zinsner

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¹ Defendants are endeavoring to obtain consent to the stay and will notify the Court promptly if the motion becomes uncontested.

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Counsel for Capital One Defendants

CERTIFICATE OF SERVICE

I hereby certify that on the 16th day of August 2019, I electronically filed the foregoing pleading with the Clerk of the Court using the CM/ECF System, which will then send a notification of such filing (NEF) to all counsel of record.

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